



PLANNING & ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	07/22/10	AGENDA REQUEST NO:	VI A
INITIATED BY:	RUTH LOHMER, AICP, SENIOR PLANNER & DOUGLAS SCHOMBURG, AICP INTERIM PLANNING DIRECTOR <i>D.S.</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	RUTH LOHMER, AICP	ASSISTANT PLANNING DIRECTOR:	N/A
		ADDITIONAL APPROVAL:	N/A
SUBJECT / PROCEEDING:	REZONE 83 ACRES AT THE SOUTHWEST INTERSECTION OF STATE HIGHWAY 6 AND US HIGHWAY 90A IN TELFAIR FROM BUSINESS OFFICE (B-O), RESTRICTED INDUSTRIAL (M-1), GENERAL INDUSTRIAL (M-2), AND INTERIM R-1 TO PLANNED DEVELOPMENT (PD) DISTRICT CONSIDERATION AND ACTION		
EXHIBITS:	STAFF REPORT, PROPOSED GENERAL DEVELOPMENT PLAN WITH EXHIBITS, VICINITY MAP, SITE PHOTOS, GENERAL PLAN, APPLICATION, PUBLIC HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	N/A	INTERIM PLANNING DIRECTOR:	DOUGLAS SCHOMBURG, AICP <i>D.S.</i>
RECOMMENDED ACTION			
A recommendation of approval from the Commission to City Council with the following conditions, based on Airport proximity safety to modify the current General Development Plan: <ul style="list-style-type: none">Remove the following uses from Section 2, due to airport proximity: Motion Picture Theatres (7832), Elementary Schools (SIC 8211), Child Day Care Services (SIC 8351), Religious Organizations (SIC 8661)Limit the following uses in Section 4 to not within 1,500 feet of the AZ-O2: SIC Codes 7011, 7832, 8051, 8052, 8059, 8062, 8069, 8211, 8221, 8222, 8231, 8243, 8244, 8299, 8322, 8331, 8351, 8361, 8399, 8641, 8661Restriction on water features due to bird attractant and glare issues (with exception of fountains)Compliance with the airport RPZ (Runway Protection Zone)			
EXECUTIVE SUMMARY			
This request is for permanent zoning of approximately 83 acres (The Crossing at Telfair Section 2, 3 and 4) to PD, and is located at the southwest corner of the intersection of US 90A and State Highway 6. The requested Planned Development (PD) District is proposed to be a mix of various retail and office uses. A portion of the			

property was annexed with the US 90A right-of-way in 1990 and is currently zoned Business Office (B-O), Restricted Industrial (M-1) and General Industrial (M-2). The remainder of the property was annexed into the corporate limits of Sugar Land under Ordinance No. 1431 on July 1, 2004, with interim R-1 zoning applied to all of the Telfair property. The 83 acre property is currently undeveloped and vacant.

The proposed PD District zoning came before the Planning and Zoning Commission on February 25, 2010 for a Public Hearing and discussion meeting. At the meeting no members of the public spoke. However, the Commission voiced a number of concerns and provided direction to the applicant and staff regarding revisions that were determined to be appropriate to gain a positive recommendation. These included a number of items, including bringing the 83 acre submittal back as a General Development Plan rather than a Final Development Plan. These items are summarized in the Analysis section of this report.

This report contains an analysis of the rezoning request, as well as the draft General Development Plan providing the details of the proposed PD District regulations. The applicant is proposing the PD plan as attached to this report. However, based on research that has come out of both Commission and City of Sugar Land Airport staff concerns, we are recommending several specific conditions to increase public safety near the runway flight path area that includes both Section 2 and part of Section 4. These conditions would limit uses that contain places of assembly such as hospitals, churches, and and daycares.

File No. 12350

Cc: pjacob@wdjrealty.com

EXHIBITS

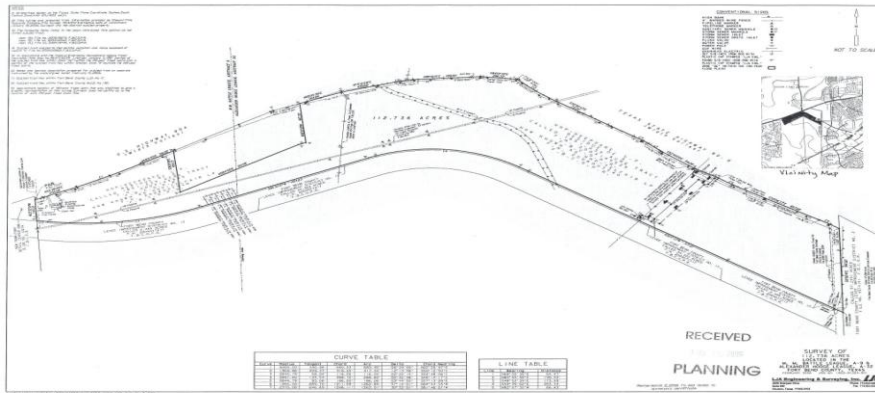
Staff Report:

BACKGROUND INFORMATION:

Conversion from State Property, General Development Plan, and Annexation-

The property contained within the proposed rezoning request was originally part of the State of Texas prison farm system (Tract 4) until the sale to Newland Communities in 2003. At that time, the property had acreage located within the City Limits from a 1990 annexation, and acreage in the Extraterritorial Jurisdiction (ETJ) of the City. The property was subsequently included in the original Telfair General Plan (2003) and was fully annexed into the City of Sugar Land under Ordinance No. 1431 on July 1, 2004. Weaver, Davis, and Jacob (WDJ) Realty subsequently purchased the property, including approximately 27 acres located to the southeast, for a total of 112 acres.

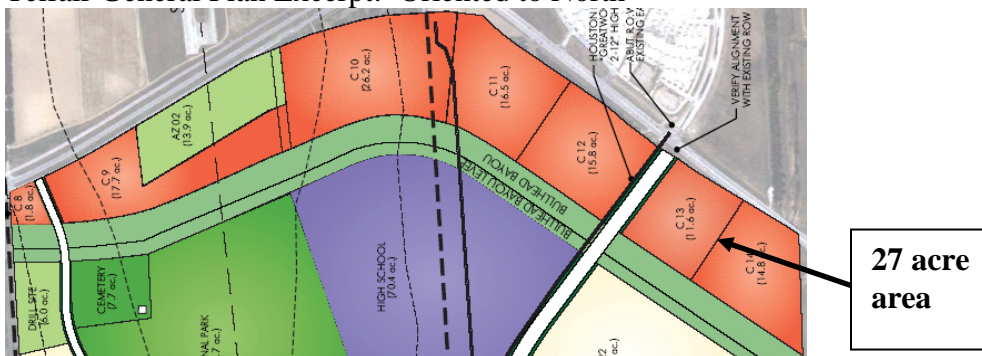
Survey of Approximately 112 Acres (2005)



Initial Rezoning Request and Revised Application for Planned Development Zoning-

In 2006, the entire 112 acre property was submitted for General Business (B-2) zoning. However, the request was tabled by the City Council on August 15, 2006 due to the desire for additional assurances as to uses and standards. Council directed the applicant to bring forward a revised rezoning request to commercial PD District, which was one of the possible zoning district options under the Telfair General Plan. The acreage annexed in 1990 contained zoning districts of B-O, M-1, and M-2, and remaining acreage to the southeast from the 2004 annexation was classified as Interim R-1 pending permanent zoning. Due to the size of the overall property, the applicant subsequently requested to move forward with PD District zoning for only 27 acres at the southeastern portion of the overall property, bounded by State Highway 6, Ditch H, Bullhead Slough, and the future University Boulevard. Following a public hearing, the 27 acre PD District was recommended for approval by the Commission on September 28, 2006. The remainder of the acreage was to come in at a later date under a PD as well when the developer was ready to prepare development plans.

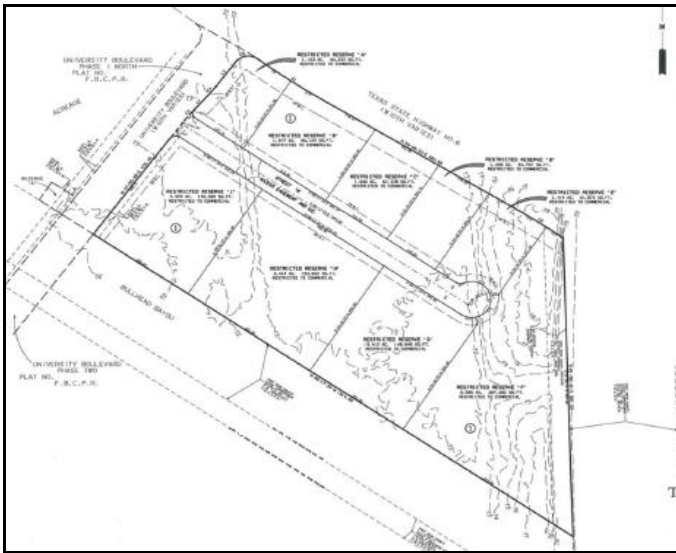
Telfair General Plan Excerpt: Oriented to North



Approval of The Crossing at Telfair Section 1 and Council Direction for Future Sections:

The overall 112 acre rezoning was discussed with City Council 2006 in a workshop meeting where Council gave further direction staff and WDJ. The Council requested that the remainder of the acreage (shown in the original submittal as Sections 2, 3, & 4) be submitted comprehensively in the future as either a two-step PD District request (General Development Plan with subsequent Final Development

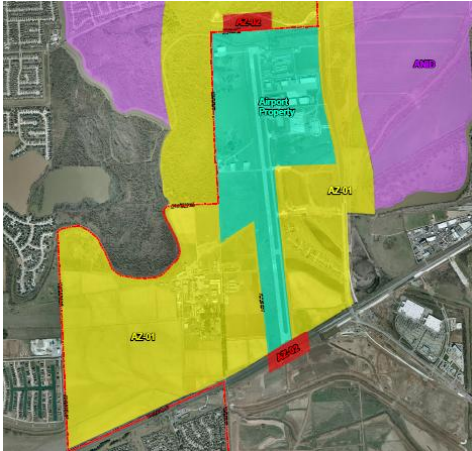
Plan or Plans) or a complete Final Development Plan. The concern centered around having enough detail to comprehensively plan for compatible land uses in the area and assure quality regulations. The Council agreed to approve the 27 acre portion now known as The Crossing at Telfair Section 1, and adopted Ordinance No. 1589 rezoning that acreage to PD District on October 17, 2006. This acreage, centered around Bonaventure Way, is shown as a graphic below:



Airport Zoning, Adjacent AZ-O2 Acreage, and Object Free Area-

The City of Sugar Land Airport Land Use Zone AZO2 is located immediately adjacent to the 83 acres along US Highway 90 A and is approximately 12 acres. The property is currently owned by Newland Communities and is ultimately going to be purchased by the City of Sugar Land as outlined in the 2003 Development Agreement. The AZ-O2 does not fall into any of the 83 acre property. However, there is an extended Runway Protection Zone (RPZ) that has Federal Aviation Administration (FAA) regulations and oversight, but is not specified in the Development Code. The applicant submitted development information to the FAA under the 7460 federal requirements due to proximity to the Sugar Land Regional Airport runway. The FAA confirmed the object free area to the south of the AZ-O2 and indicated that the proposal to connect Sections 2 and 4 of the PD District with internal circulation would not be permitted by the agency. As a result, the applicant modified the PD plans to include only pedestrian access.

Airport Land Use Zoning Map Excerpt:
(AZ-02) south of US 90A shown in red



83 Acres at Planning and Zoning Commission Workshop (2009):

The Planning and Zoning Commission reviewed the plans for the Crossing at Telfair Sections 2, 3, and 4 in a workshop on February 10, 2009. The Commission had a number of concerns related to the proposed uses, which are summarized as follows:

- Concern over certain land uses and intensity
- Request for subsequent revisions to specify the uses by section
- Need for internal circulation to be shown within the sections
- Concern over lack of some sidewalk connections near AZ-O2
- Clarification of acreage
- Easton Avenue Bridge Connection between the 83 acres and the remainder of Telfair's Tract 4
- Background information from the original 112 acre request for B-2 zoning and comparison with B-2 regulations
- The need for additional details in proposed regulations
- Illustrations or pictures for certain uses normally requiring CUP's in B-2
- Clarification of specific conditions to apply to uses normally requiring CUP's in B-2

The applicant revised the PD District proposal in light of the feedback received in 2009, and additional review and comments by City staff.

83 Acres at Planning and Zoning Commission Public Hearing, February 25, 2010

A Final Development Plan for the Planned Development district was reviewed by the Planning and Zoning Commission on February 25, 2010. The Commission raised a number of concerns, related the proposed uses and various development regulations. There were also concerns about the proposal being a Final Development Plan, and the Commission not having another opportunity to review the project. Since that meeting, the applicant has revised the project to a General Development Plan and taken Commission feedback into account. Additional details follow in the zoning analysis within this report.

ANALYSIS:

In a Planned Development rezoning case, the staff, Planning and Zoning Commission, and City Council take many factors into consideration. These include the location of the property in relation to surrounding existing zoning and uses, assuring compliance with zoning regulations applicable to the requested zoning, examining the proposed list of uses any mitigation, and weighing the proposal against the intent of PD District zoning.

SURROUNDING ZONING AND LAND USES:

Subject Property	Interim Standard Single Family Residential (Int. R-1), Business Office (B-O), Restricted Industrial (M-1), and General Industrial (M-2)
Surrounding Zoning	North: M-1, M-2, and First Crossing PD District South: Interim Standard Single-Family Residential (Int. R-1) and R-1 East: Crossing at Telfair 1 PD District West: ETJ (New Territory Community)
Surrounding Land Use	North: Sugar Land Regional Airport South: Undeveloped (future regional park) East: Commercial Development (Hotel, Retail, Office) West: Developed New Territory with Commercial & Residential Uses

ZONING MAP EXCERPT (JULY 2010)



PLANNED DEVELOPMENT (PD) DISTRICT INTENT AND MINIMUM SIZE:

Sec. 2-172. Intent.

“The planned development district allows for a development containing uses or a combination of uses in a design that would not otherwise comply with the regulations of the primary zoning districts, but does provide an overall design, increased Open Space, or other features or amenities that results in a superior development or offer special benefits to the community. A planned development district may not be used for the primary purpose of avoiding the zoning regulations applicable to the primary zoning districts.”

The applicant has indicated that the project will result in a unique design featuring significant green space, streetscape, more restrictive setbacks and a mix of offices, services, and retail uses.

Sec. 2-173. Minimum Size.

“A district containing only Residential Uses will not be created unless it contains at least 10 acres. A district containing both Residential and Nonresidential Uses will not be created unless it contains at least 25 acres of land. The Commission may recommend approval of and the Council may approve a district with less land than specified in this section, if the developer clearly demonstrates that a smaller district would achieve the intent of the district.”

Commercial-use Planned Development (PD) Districts without a residential component do not have a minimum size requirement. Therefore, this PD should not be recommended for denial solely on the basis of size.

COMPREHENSIVE/LAND USE PLAN APPLICATION:

The Telfair General Plan Amendment No. 4 (approved November 17, 2009) indicates that the property (The Crossing at Telfair 2, 3, & 4) is intended to be a mixed commercial development within a PD District. The proposal for The Crossing at Telfair 2, 3, & 4 PD appears to be in character with the intent of the General Plan. One of the main Goals of the Comprehensive Plan is effective land use and Chapter 6 discusses encouraging master planned, quality development. The Land Use Plan map did not predetermine any areas that might be candidates Planned Development (PD) areas. Instead, the accompanying text in Chapter 6 discusses future case-by-case determinations to occur through the rezoning process. In that chapter, mixed-use development may include retail uses / offices / and services and such development should take place subsequent to the Planned Development (PD) District rezoning process, as with this proposal. In any PD, a Final Development Plan is required, showing general site layouts and minimum standards of open space, setbacks, lot coverage, building finishes, uses. Per City Council direction in 2006, future development within the 112 acre area would need to occur under Planned Development District zoning.

PROPOSED PD INFORMATION:

The proposed Planned Development (PD) District for the Crossing at Telfair Sections 2, 3 and 4 will contain a total of 82.3 acres. The district is proposed to be created through a two-step PD process, which will permanently zone the property from Interim R-1, B-O, M-1, and M-2 to PD District. The proposed

PD ordinance will contain a metes and bounds legal description (attached) and the General Development Plan (attached). The General Development Plan includes development regulations related to building setbacks, conditions for specific uses, building regulations, and landscaping and circulation regulations. The Plan also contains several exhibits:

- Site Plan (Exhibit B-1)
- Cross Section of Access Easements (Exhibit B-2) with Options A & B
- Land Uses Table (SIC Code based) (Exhibit B-3)
- Landscape Plan (Exhibit B-4) with Options A & B
- Plant List (Exhibit B-5) with Options A & B
- Pedestrian Plan (Exhibit B-6) with Options A & B

Per the Commission's suggestion in 2010, the applicant has resubmitted the proposal as a General Development Plan, to be followed by multiple Final Development Plans for smaller portions of the development in the future. The General Development Plan has been modified to address the majority of the Commission's concerns. The substantive changes are as follows:

- Number of gas stations and car washes has been limited to one per section
- Mini-storage doors will be screened from public view with a masonry wall
- Limit number of pumps at a gas station to six
- Clarified perimeter landscaping requirements for gasoline sales, auto repair, and auto/car leasing
- Removing restriction on times of operation of outdoor uses in The Promenade area
- Limiting fleet vehicles within the district, except for automobile leasing
- Valet Parking (SIC 7299) has been removed as a permitted primary use (would still be permitted as accessory use)
- Other Misc. Retail Stores (under SIC 5999) has been removed

Option A and B Feature-

The General Development Plan includes an Option A and an Option B for the layout of the site. Associated exhibits for the two options are included. Option A mirrors the plan included in the Final Development Plan the Commission previously reviewed. Option B modifies the access road and the reserve layout. The applicant has proposed that in Section 3, under Option B (item G. Addition Regulations, 1. b.), outdoor display of merchandise would be permitted. The Commission will need to determine if it feels this is appropriate in the district.

Additional detail, including further restricting uses, may be considered during the Final Development Plan review.

Airport Proximity Concerns-

There were some concerns expressed by the Commission and the City's Airport management related to specific uses and their proximity to the airport. To address these concerns, a number of uses have been removed from Section 2 by the applicant. However, the applicant does not propose to alter the General Development Plan further at this time. The Planning and Airport Staff recommend that these uses, which have a "place of assembly" aspect, also be prohibited within 1500 feet of the AZO2. These uses are as follows:

Hotels	7011
Skilled Nursing and Care Facilities	8051
Intermediate Care Facilities	8052
Nursing and Personal Care Facilities, NEC	8059
General Medical and Surgical Hospitals	8062
Specialty Hospitals, Except Psychiatric	8069
(No alcoholism or drug rehabilitation hospitals are allowed)	
Colleges, Universities, and Professional Schools	8221
Junior Colleges and Technical Institutes	8222
Libraries	8231
Data Processing Schools	8243
Business and Secretarial Schools	8244
Schools and Educational Services, NEC	8299
Individual and Family Social Services	8322
Job Training and Vocational Rehabilitation Services	8331
Residential Care	8361
Homes for the Elderly	
Other Residential Care	
Social Services, NEC	8399
Civic, Social, and Fraternal Associations	8641

Based on consultation with the Sugar Land Regional Airport staff, Planning recommends also removing Motion Picture Theatres (SIC 7832) Elementary Schools (SIC 8211), Child Day Care Services (SIC 8351), and Religious Organizations (SIC 8661) from Section 2 and to be prohibited within 1500 feet of the AZO2 boundary in Section 4.

ANALYSIS OF PROPOSED USES:

The proposed use list is similar to the list of uses that are allowed by right in the General Business (B-2) zoning district. There are a number of uses that are allowed with a Conditional Use Permit in the B-2 district that are proposed to be allowed by right in the PD; additional conditions and restrictions have been placed on these uses. These conditions and restrictions can be found in the Final Development Plan in section C. Land Uses and section D. Development Regulations, items 5-12, and are discussed further in this section. The following table summarizes the restrictions placed on the number of these uses in the district, by section (as found in the General Development Plan in section C. Land Uses).

Use	SIC Code	Section 2	Section 3	Section 4
Hotel	7011	Not permitted	1	1
Hospital	8062 or 8069	Not permitted	1	1
Grocery Stores (includes Convenience Stores)	5411	1 (See Notes 1 and 2)	1 (See Notes 1 and 2)	1 (See Notes 1 and 2)
Carwash	7542	1 (See Note 2)	1 (See Note 2)	Not permitted
Auto Repair Service Station	7533, 7537, 7538 & 7539	1	1	Not permitted
Mini-Warehouse or Self Storage	4225 except General Warehouse	See Note 3	Not permitted	See Note 3
Child Day Care Services	8351	2	Not permitted	2
Private Elementary School	8211	1	Not permitted	1

1. A maximum of one (1) Grocery Store (which may include Gasoline, Convenience Store and/or a Car Wash) **or** one (1) Convenience Store (which may include Gasoline and/or a Car Wash) is permitted.
2. Only one (1) Car Wash, whether accessory to a Grocery Store (SIC 5411) or a stand-alone Car Wash (SIC 7542), is permitted per section.
3. A cumulative maximum of 50,000 sq. ft. of Mini-Warehouse or Self Storage may be built between Section 2 and Section 4.

Section D. Development Regulations, items 5 through 12, of the Final Development Plan outlines additional conditions placed on uses that require a CUP in the B-2 district but are proposed to be allowed by right in the PD. The uses with additional conditions are as follows:

- Miniwarehouses and/or Self-Storage Units
- Gasoline Sales
- Auto Repair
- Auto/Car Leasing
- Dry Cleaning Plants
- Private Elementary Schools
- Hotels

- Boutique
- Select Service
- Full Service
- Outdoor Bazaars and Street Vendors
- Residential Care

As the Commission requested, additional conditions have been placed on SIC 8361 Residential Care, as follows:

- Weekly housekeeping
- 24-hour on-site courtesy office
- Wellness center
- Common leisure/activity area (could be library, game room, card room, etc.)
- Maximum number of units to be determined at Final Development Plan

COMPARISON OF PD DISTRICT AND B-2 DISTRICT REGULATIONS:

Building Setbacks:

	PD District:	B-2 District:
<u>Section 2</u>		
Abutting Highway 90A:	40 feet	<i>40 feet</i>
Abutting Easton Avenue:	25 feet	<i>25 feet</i>
Abutting Driveways 1 and 2:	10 feet	<i>10 feet</i>
Abutting Private Access Easement:	25 feet	<i>10 feet</i>
Abutting the Levee:	34 feet	<i>10 feet</i>
All other:	10 feet	<i>10 feet</i>
<u>Section 3</u>		
Abutting Highway 6:	40 feet	<i>40 feet</i>
Abutting University Boulevard	40 feet	<i>40 feet</i>
Abutting Driveway 5:	10 feet	<i>10 feet</i>
Abutting Private Access Easement:	25 feet	<i>10 feet</i>
Abutting the Levee:	14 feet	<i>10 feet</i>
All other:	10 feet	<i>10 feet</i>
<u>Section 4:</u>		
Abutting Highway 6:	40 feet	<i>40 feet</i>
Abutting Highway 90A:	40 feet	<i>40 feet</i>
Abutting Driveway 3:	10 feet	<i>10 feet</i>
Abutting Driveway 4:	10 feet	<i>10 feet</i>
Abutting Private Access Easement:	25 feet	<i>10 feet</i>
Abutting the Levee:	34 feet	<i>10 feet</i>

Parking Setbacks:

	PD District:	B-2 District:
<u>Section 2</u>		
Abutting Highway 90A:	26 feet	25 feet
Abutting Easton Avenue:	25 feet	25 feet
Abutting Driveways 1 and 2:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	34 feet	6 feet
All other:	6 feet	6 feet
<u>Section 3</u>		
Abutting Highway 6:	26 feet	25 feet
Abutting University Boulevard:	40 feet	25 feet
Abutting Driveway 5:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	14 feet	6 feet
All other:	6 feet	6 feet
<u>Section 4</u>		
Abutting Highway 6:	26 feet	25 feet
Abutting Highway 90A:	26 feet	25 feet
Abutting Driveway 3:	6 feet	6 feet
Abutting Driveway 4:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	34 feet	6 feet
Promenade Area:	0 feet	n/a
All other:	6 feet	6 feet

Maximum Height:

PD District-

Maximum height of 8 stories, not more than 100 feet (exclusive of parapet walls), and not to exceed airport height hazard requirements.

B-2 District-

Maximum height of 100 feet (exclusive of parapet walls), may obtain conditional use permit to exceed 100 feet, must meet bulk plane maximum.

Building Finish Standards:

PD District-

- 80/20 (Primary/Secondary finishes)
- Primary: brick, stone, stucco & glass
- Secondary: EIFS, wood & ceramic tiles
- Max. 80% per building for any one finish
- Architectural provisions pertaining to building facades & exterior walls, fenestration, ratio of glass to wall, detail features, and roofs

B-2 District-

- 70/30 (Primary/Secondary materials)
- Primary: brick, stone, stucco & glass
- Secondary: EIFS & wood, but also concrete masonry units and fiber reinforced cement exterior siding (not allowed in PD)
- No architectural provisions pertaining to building facades & exterior walls, fenestration, ratio of glass to wall, detail features, and roofs

Landscaping:

PD District-

Street trees are to be planted on a 30 foot center average and have a minimum of 4" caliper measured at ground level when planted.

B-2 District-

For premises across from residential, trees must be planted for every 30 feet of frontage; for premises across from nonresidential, trees must be planted for every 50 feet of frontage.

Landscape Buffers:

	PD District:	B-2 District:
<u>Section 2</u>		
Abutting Highway 90A:	26 feet	15 feet
Abutting Easton Avenue:	25 feet	15 feet
Abutting Driveways 1 and 2:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	34 feet	6 feet
All other:	6 feet	6 feet

Section 3

Abutting Highway 6:	26 feet	15 feet
Abutting University Boulevard:	40 feet	15 feet
Abutting Driveway 5:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	14 feet	6 feet
All other:	6 feet	6 feet

Section 4

Abutting Highway 6:	26 feet	15 feet
Abutting Highway 90A:	26 feet	15 feet
Abutting Driveway 3:	6 feet	6 feet
Abutting Driveway 4:	6 feet	6 feet
Abutting Private Access Easement:	22 feet	6 feet
Abutting the Levee:	34 feet	6 feet
Promenade Area:	6 feet	n/a
All other:	6 feet	6 feet

Open Space for PD:

PD District-

Definition of “open space” that does not allow parking lots or other impermeable surfaces to count, and requires an overall 20% minimum for the acreage. By definition, open space is essentially “green space.”

B-2 District-

Development Code defines open space as any area not covered by building footprint. Impermeable surfaces count (i.e. parking lots), and B-2 requires 15% of each lot to be clear of building footprints.

Outside Display / Storage of Merchandise:

PD District-

Prohibits outside display or storage of merchandise except as allowed in The Promenade area under the conditions delineated in the General Development Plan: D. Development Regulations, 12. Conditions for Outdoor Bazaars and Street Vendors., and for Section 3 under Option B.

B-2 District-

Provides for limited outdoor display of merchandise, as follows:

Merchandise may be temporarily displayed or stored outside the Building on the same premises if the merchandise:

- (1) Is not located on public property or within a required Parking Space or Yard;
- (2) Is not displayed or stored outside for more than 30 consecutive days or for more than 90 days within one calendar year;
- (3) Is owned by the owner or lessee of the Building; and
- (4) Does not occupy a contiguous area in excess of 10% of the ground Floor Area of the Building or tenant space of the business displaying or storing the merchandise. The 10% restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.

Sidewalk Requirements:

PD District-

Sidewalks are required to be 5 feet wide and are required along all public roadways, along both sides of Driveways 1, 2, 3, 4 and 5, and along both sides of access easements. Sidewalks are also required along both sides of the AZ02 tract and along both sides of the The Promenade area. A 5-foot sidewalk will be constructed along the rear of the property, along Bullhead Slough, which will complement the City’s plans for a trail on the south side of Bullhead, as shown in the City of Sugar Land Hike and Bike Master Plan.

B-2 District-

Sidewalks are required to be 5 feet wide and are required along all public roadways.

Paving Requirements:

PD District-

Parking lots, driveways, and vehicle use areas shall be constructed of concrete; driveways and streets within individual sites may be paved with concrete or interlocking pavers. Any colored paving must be integrally colored.

B-2 District-

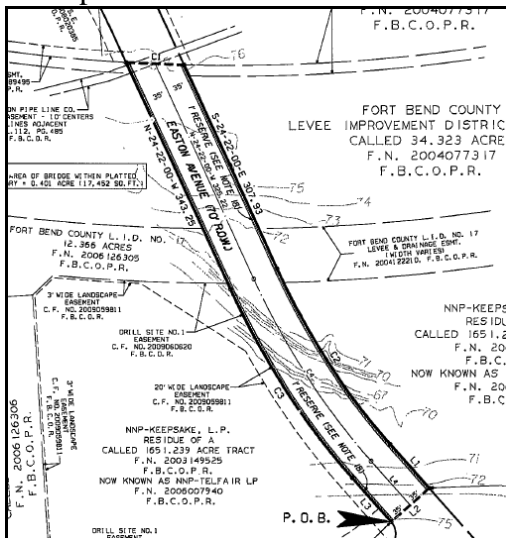
Parking lots, driveways, and vehicle use areas shall be constructed of either concrete or asphalt.

TRAFFIC AND CIRCULATION:

The Crossing at Telfair Sections 3, 4, and 5 is bordered by arterial, collector, and highway street frontage. At the Planning and Zoning Commission workshop in February of 2009, the Commission commented on the lack of interior circulation being shown on the draft drawings. The PD District requirements contained within Chapter 2, Article II of the Development Code require that circulation for street access drives and pedestrian routes be shown. The revised plans submitted in 2010 contain these details. In addition, a Traffic Impact Analysis (TIA) was submitted and reviewed by the Engineering and Public Works Departments.

An additional question brought up during the February 2009 workshop with the Commission was the status of the Easton Avenue bridge crossing Bullhead Bayou. The bridge will connect the proposed PD property with the bulk of Tract 4 including Telfair Section 15 A and B. The right of way was obtained through the recordation of Easton Avenue Phase III in November of 2009, and the bridge is currently under the last phase of construction, which consists of architectural elements. The City is also holding a Surety guarantee for bridge paving to be released upon completion and acceptance of the Easton Bridge.

Excerpt from *Easton Avenue Phase 3 Street Dedication* (FBCC Plat File No. 20090119)



POINTS TO CONSIDER:

Since the original 2009 submittal of The Crossing at Telfair Sections 2, 3, & 4 Planned Development District, the applicant has made a number of alterations and revisions that have improved the project. Some of the changes were the result of staff review comments, while others came from the detailed discussions and direction from the Planning and Zoning Commission. Up until June of 2010, the project was submitted as a Final Development Plan, which requires a high level of detail based on Chapter 2, Article II, Section 2-174 of the Development Code's PD District provisions. The applicant has now chosen to move forward with the 83 acres as a General Development Plan (1st Step of 2 Step process). To recap the results of this decision, the following information details the zoning aspects of the two

separate PD District processes for development to take place within any of the 83 acre area:

General Development Plan (GDP)- 83 acre property including Sections 2, 3, and 4

(Passed under a Planned Development District ordinance by Council with a Planning and Zoning Commission recommendation)

- Change in zoning on Official City Zoning Map to PD from prior zoning categories
- Provides specific set of uses proposed for all three sections and any special conditions
- Bulk regulations for parking, building, landscaping, height section by section
- Landscaping provisions, building finish provisions
- Layout plan, overall circulation plan, landscape plan, and pedestrian plan
- General Development Plan provides framework for all future Final Development Plans within the 83 acres. The Development Code requires any Final Development Plans to be in accordance with the adopted General Development Plan, with the only main difference is the inclusion of additional details within the document.
- Approval of a GDP by Council does not authorize any development or building permits on a site. A Final Development Plan is required to be approved.

Final Development Plan (FDP)- Could include all of 83 acres or individual acreage in Sections 2, 3, or 4

(Passed under a Planned Development District ordinance by Council with a Planning and Zoning Commission recommendation) These apply to all acreage included within the FDP boundary.

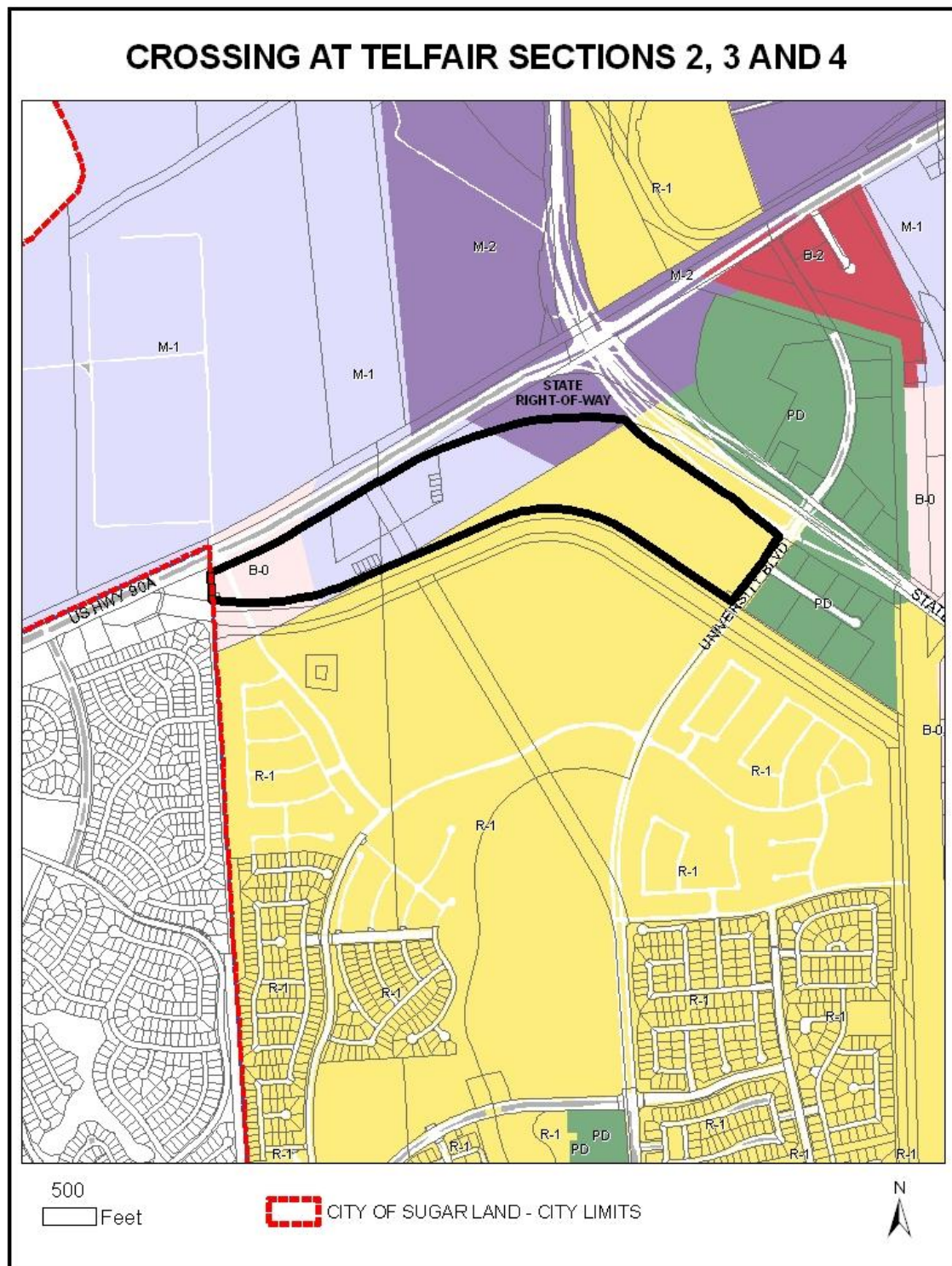
Section 2-174 (b) The final development plan is intended to provide all the detailed information of development, including all the regulations that will apply to the district. The final development plan submitted must include all the information required by the general development plan, but in specific detail, and all the information specified by the Director.

- FDP to be in accordance with the adopted General Development Plan, with the only main difference is the inclusion of additional details within the document
- Provides and finalizes specific set of uses for all land within the acreage
- Bulk regulations for parking, building, landscaping, height, landscaping provisions, building finish provisions
- Layout plan, overall circulation plan, landscape plan, and pedestrian plan
- Approval of FDP by Council is the final zoning authorization for development, and can be followed by platting and administrative procedures such as site planning and building permitting

Therefore, it is important for the Commission consider elements such as:

- Intent of PD District and examination for quality, special benefits, and a superior development
- Relationship with Telfair General Plan and Comprehensive Plan
- Compatibility of proposed land uses with area and internal to the PD
- Mitigation / conditions providing safeguards for uses normally requiring additional review such as CUP's (potentially limiting number of certain uses such as hotels, addition of development regulations, etc.)

Vicinity Map:



DRAFT GENERAL DEVELOPMENT PLAN
(The Crossing at Telfair, Sections 2, 3, & 4)

A. Contents. This general development plan contains the following parts:

1. Contents
2. General Provisions
3. Land Uses
4. Development Regulations
5. Building Regulations
6. Landscape & Pedestrian Circulation Regulations
7. Additional Regulations

B. General Provisions.

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-2 (General Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-2 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.
2. Except as otherwise provided herein, the words used in this general development plan have the meaning established by the Development Code. In this ordinance:

Open Space means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas, or other impermeable material.

PD means the planned development district created by this ordinance.

Pavers means colored interlocking bricks, tiles, stones, blocks, or concrete units.

Miniwarehouses and/or Self-Storage Units means renting or leasing space for self-storage. These establishments provide secure space (i.e., rooms, compartments, lockers, or containers) where clients can store and retrieve their goods.

C. Land Uses.

Land uses for consideration in Final Development Plans for all parcels are listed in Exhibit B-3. The land uses detailed in the table below are limited in number as shown.

Use	SIC Code	Section 2	Section 3	Section 4
Mini-Warehouse or Self Storage	4225 except General Warehouse	See Note 3	Not permitted	See Note 3
Grocery Stores (includes Convenience Stores)	5411	1 (See Notes 1 and 2)	1 (See Notes 1 and 2)	1 (See Notes 1 and 2)
Hotel	7011	Not permitted	1	1
Carwash	7542	1 (See Note 2)	1 (See Note 2)	Not permitted
Auto Repair Service Station	7533, 7537, 7538 & 7539	1	1	Not permitted
Hospital	8062 or 8069	Not permitted	1	1
Child Day Care Services	8351	2	Not permitted	2
Private Elementary School	8211	1	Not permitted	1

4. A maximum of one (1) Grocery Store (which may include Gasoline, Convenience Store and/or a Car Wash) **or** one (1) Convenience Store (which may include Gasoline and/or a Car Wash) is permitted.
5. Only one (1) Car Wash, whether accessory to a Grocery Store (SIC 5411) or a stand-alone Car Wash (SIC 7542), is permitted per section.
6. A cumulative maximum of 50,000 sq. ft. of Mini-Warehouse or Self Storage may be built between Section 2 and Section 4.

D. Development Regulations.

1. Maximum height of structures: 8 stories, but not more than 100 feet, exclusive of parapet walls and no building shall exceed the airport height hazard requirements of Chapter IX of the Development Code.

2. Minimum Building Setbacks:

Section 2

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 90A: | 40 feet |
| (b) Abutting Easton Avenue: | 25 feet |
| (c) Abutting Driveways 1 and 2: | 10 feet |
| (d) Abutting Private Access Easement: | 25 feet |

- | | |
|-------------------------|---------|
| (e) Abutting the Levee: | 34 feet |
| (f) All other: | 10 feet |

Section 3

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 6: | 40 feet |
| (b) Abutting University Boulevard: | 40 feet |
| (c) Abutting Driveway 5: | 10 feet |
| (d) Abutting Private Access Easement: | |
| Option A | 25 feet |
| Option B | 25 feet |
| (e) Abutting the Levee: | 14 feet |
| (f) All other: | 10 feet |

Section 4

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 6: | 40 feet |
| (b) Abutting Highway 90A: | 40 feet |
| (c) Abutting Driveway 3: | 10 feet |
| (d) Abutting Driveway 4: | 10 feet |
| (e) Abutting Private Access Easement: | 25 feet |
| (f) Abutting the Levee: | 34 feet |
| (g) Promenade Area: | 10 feet |
| (h) All other: | 10 feet |

3. Minimum Parking Lot Setbacks:

Section 2

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 90A: | 26 feet |
| (b) Abutting Easton Avenue: | 25 feet |
| (c) Abutting Driveways 1 and 2: | 6 feet |
| (d) Abutting Private Access Easement: | 22 feet |
| (e) Abutting the Levee: | 34 feet |
| (f) All other: | 6 feet |

Section 3

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 6: | 26 feet |
| (b) Abutting University Boulevard: | 40 feet |
| (c) Abutting Driveway 5: | 6 feet |
| (d) Abutting Private Access Easement: | |
| Option A | 22 feet |
| Option B | 6 feet |
| (e) Abutting the Levee: | 14 feet |
| (f) All other: | 6 feet |

Section 4

(a) Abutting Highway 6:	26 feet
(b) Abutting Highway 90A:	26 feet
(c) Abutting Driveway 3:	6 feet
(d) Abutting Driveway 4:	6 feet
(e) Abutting Private Access Easement:	22 feet
(f) Abutting the Levee:	34 feet
(g) Promenade Area:	0 feet
(h) All other:	6 feet

4. Paving:

- (a) All parking lots, driveways, and vehicle use areas outside of individual building parcels must be constructed of concrete.
- (b) All driveways and streets within individual building parcels may be paved with a concrete surface or interlocking pavers.
- (c) Decorative paving must be used at each entry off a collector.
- (d) Paving must be integrally colored.

5. Conditions for Miniwarehouses and/or Self-Storage Units:

- (a) All storage is limited to indoors. No outdoor storage is allowed.
- (b) No outside storage of junked vehicles as defined under Code of Ordinances.
- (c) No overnight parking or storage of recreational vehicles as defined by Development Code.
- (d) No outdoor speakers.
- (e) Solid masonry walls shall be used to screen all mini-storage doors from public view.

6. Conditions for Gasoline Sales:

- (a) Maximum of six pump stations with two fuel dispensers per station.
- (b) Recessed lighting under the pump station canopy and in fixtures throughout the site.
- (c) No outdoor speakers, except those required by law at pump stations.
- (d) Specific building finish standards for building canopy columns shall be a minimum of 100% of the following two materials: brick and/or stone.
- (e) Canopy roofs over pump dispensers shall have a pitched or mansard roof and/or parapets concealing flat roofs and rooftop equipment from public view.
- (f) Minimum landscaping buffering to include:
 - a. Hedges of at least four feet in height at time of planting screening the entire parking lot perimeter.
 - b. Trees of at least four inches in diameter and ten feet in height at time of planting for every 50 feet of parking lot perimeter, except street trees.

7. Conditions for Auto Repair:

- (a) Orientation of repair bays shall be perpendicular to the street (whether public street or access main easement) and if adjacent to both, then the bays shall be perpendicular to any major collector.
- (b) No overnight parking or outside storage of damaged, abandoned or repaired vehicles as defined under Code of Ordinances.
- (c) No overnight parking or storage of recreational vehicles as defined by Development Code.
- (d) No outdoor speakers.
- (e) Minimum landscaping buffering to include:
 - a. Hedges of at least four feet in height at time of planting screening the entire parking lot perimeter.
 - b. Trees of at least four inches in diameter and ten feet in height at time of planting for every 50 feet of parking lot perimeter, except street trees.

8. Conditions for Auto / Car Leasing:

- (b) Provide separate areas for customer parking and fleet vehicle parking.
- (c) Minimum landscaping buffering to include:
 - a. Hedges of at least four feet in height at time of planting screening the entire fleet vehicle parking lot perimeter.
 - b. Trees of at least four inches in diameter and ten feet in height at time of planting for every 50 feet of parking lot perimeter, except street trees.

9. Conditions for Dry Cleaning Plants:

- (a) Masonry screening walls, 6 feet in height, for any rear doors.

10. Conditions for Private Elementary:

- (a) Compliance with an approved traffic circulation plan and traffic study to include only on-site queing.
- (b) A maximum of 250 students.
- (c) Only preschool through 5th grade.
- (d) Must provide dedicated outside or inside play areas (not retrofitted parking lot play areas).

11. Conditions for Day-Care Center:

- (a) Compliance with an approved traffic circulation plan and traffic study to include only on-site queing.
- (b) Must provide dedicated outside or inside play areas (not retrofitted parking lot play areas).

12. Conditions for Residential Care

- (a) Common food service area
- (b) Weekly housekeeping service
- (c) 24-hour on-site courtesy office
- (d) Wellness center

- (e) Common leisure/activity area
- (f) Maximum number of units to be determined at Final Development Plan

13. Conditions for Hotels:

- (a) Guest rooms will be accessible only through interior corridors;
- (b) Entrance through exterior doors must be secured and accessible only to guests and employees;
- (c) Hotel or motel management must be on-site 24 hours each day;
- (d) Prohibit overnight parking of trucks with more than two axles and recreational vehicles in the hotel's or motel's parking lot and parking garage, erect signs in compliance with Chapter 2308 of the Texas Occupations Code stating those vehicles will be towed from the hotel or motel property;
- (e) Except for not more than five percent of the total number of guest rooms in a Full Service Hotel, guest rooms in a hotel or motel may not contain any Cooking Facility; and
- (f) Delivery service areas must be screened from the view of any right-of-way or residential area by masonry walls.
- (g) Must fall into one of the following three categories listed below:
 - (1) *Hotel, Boutique* means a hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities:
 - a. A minimum of 2,000 square feet of dedicated meeting and event facilities;
 - b. A limited food and beverage service area with staff available and accessible through the interior of the hotel;
 - c. Swimming pool; and
 - d. Fitness center.
 - (2) *Hotel, Select Service* means a hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities:
 - a. A minimum of 4,000 square feet of dedicated meeting and event facilities;
 - b. A restaurant accessible through the interior of the hotel that offers made-to-order food and seating for at least 30 patrons during standard dining hours;
 - c. Swimming pool; and
 - d. Fitness center.
 - (3) *Hotel, Full Service* means a hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities:
 - a. A minimum of 10,000 square feet of dedicated meeting and event facilities;
 - b. Full-menu room service;
 - c. Fitness center;
 - d. Swimming pool;
 - e. Restaurant accessible through the interior of the hotel that offers a full-menu, table service, and seating for at least 50 patrons during standard dining hours; and
 - f. Waiting Area

14. Conditions for Outdoor Bazaars and Street Vendors:

- (a) The following list of outdoor uses are only allowed in The Promenade area, and are only allowed in designated areas of The Promenade – which are the green space areas, sidewalks, hardscape plaza, or display areas (these uses are not allowed in the parking lots or parking spaces):
 - 1. Outdoor Bazaar (to be further defined by Final Development Plan)
 - 2. Art Shows or Festivals
 - 3. Farmers Markets
 - 4. Car and Model Car Shows
 - 5. Petting Zoo
 - 6. Music Concerts
 - 7. Theater Performances
- (b) The seven outdoor uses listed above are only allowed to operate in The Promenade area on the following days:
 - 1. Thursdays
 - 2. Fridays
 - 3. Saturdays
 - 4. Sundays
- (c) The following list of outdoor uses and items are not allowed anywhere in the PD at anytime:
 - 1. Flea Markets (to be further defined by Final Development Plan)
 - 2. Livestock or farm animals (except for a petting zoo)
- (d) The following list of items is allowed to be sold outdoors in The Promenade area:
 - 1. Art work (such as, but not limited to the following: paintings, drawings, sculpture, glass, woodwork, jewelry, pottery, hand made furniture, crafts, home décor, and clothing)
 - 2. Food
 - 3. Drinks
 - 4. Cars or Model Cars
 - 5. Music Concert or Theater Tickets (as well as merchandise associated with the performance such as, but not limited to: t-shirts, CDs, DVDs, or posters)

E. Building Regulations.

1. Building Finish Standards:

- (a) Building Finish Standards apply to all exterior walls of a building.
- (b) Primary Finishes are limited to brick, stone (natural, cast, or cultured – textured), stucco, and glass wall.
- (c) Secondary Finishes are limited to exterior insulated finish system (EIFS), wood, and ceramic tiles, decorative CMU and fiberglass reinforced cement exterior siding.
- (d) A minimum of eighty percent (80%) of the exterior finish must be of Primary Finishes, as defined by this development plan. The remaining

must be of Secondary Finishes, as defined by this development plan.

- (e) Use of architectural metals is limited to canopies, parapet walls, roof systems, and miscellaneous trim work and must meet the durability standards of the City of Sugar Land Development Code.
- (f) A single building material may not cover more than eighty percent (80%) of the front of any building.

2. Facades & Exterior Walls:

- (a) Facades greater than 100 feet in length shall incorporate plane recesses having a minimum depth of at least 3 percent of the length of the facade and extending at least 20 percent of the length of the facade. No uninterrupted length of a façade shall exceed 100 feet in length.
- (b) Ground floor facades that face public streets shall have storefronts, arcades, display windows, entry areas, awnings or other features along no less than 50 percent of their horizontal length.
- (c) Stores occupying less than 20,000 square feet must contain glass between the height of 3 feet and 8 feet above the sidewalk grade for no less than forty percent of the horizontal length of the building façade.
- (d) The ratio of glass to wall of the building façade must not be more than forty percent except for ground level commercial areas where the standard listed in 2(c) applies.

3. Fenestration:

- (a) Punched-type windows, inset from the face of the building, are required above the first floor.
- (b) Continuous horizontal ribbon windows are prohibited.
- (c) Clear glass is required in all retail storefronts.
- (d) Use of reflective glazing shall be limited to second level uses and above.

4. Detail Features:

- (a) Building facades must include a repeating pattern that includes no less than three of the elements listed below. All elements shall repeat at intervals of no more than fifty feet, either horizontally or vertically.
 - Color Change
 - Texture Change
 - Material Module Change

5. Roofs:

- (a) Roofs will have at least one of the following features:
 - Parapets concealing flat roofs and rooftop equipment from public view. The average height will not exceed 15% of the height of the supporting wall unless necessary to screen rooftop equipment. All parapets will feature three dimensional cornice treatments and will be solid from all sides if visible at any distance from the ground.
 - Overhanging eaves, extending no less than 3 feet past the supporting walls.

F. Landscape & Pedestrian Circulation Regulations.

1. Minimum landscape buffers, continuous along:

Section 2

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 90A: | 26 feet |
| (b) Abutting Easton Avenue: | 25 feet |
| (c) Abutting Driveways 1 and 2: | 6 feet |
| (d) Abutting Private Access Easement: | 22 feet |
| (e) Abutting the Levee: | 34 feet |
| (f) All other: | 6 feet |

Section 3

- | | |
|---------------------------------------|-------------------------|
| (a) Abutting Highway 6: | 26 feet |
| (b) Abutting University Boulevard: | 40 feet |
| (c) Abutting Driveway 5: | 6 feet |
| (d) Abutting Private Access Easement: | |
| Option A | 22 feet |
| Option B | 6 feet (non-contiguous) |
| (e) Abutting the Levee: | 14 feet |
| (f) All other: | 6 feet |

Section 4

- | | |
|---------------------------------------|---------|
| (a) Abutting Highway 6: | 26 feet |
| (b) Abutting Highway 90A: | 26 feet |
| (c) Abutting Driveway 3: | 6 feet |
| (d) Abutting Driveway 4: | 6 feet |
| (e) Abutting Private Access Easement: | 22 feet |
| (f) Abutting the Levee: | 34 feet |
| (g) Promenade Area: | 6 feet |
| (h) All other: | 6 feet |

2. Minimum Open Space: 20%.

3. Street Trees:

- (a) Must be planted on a thirty foot on center average.
- (b) Must have a minimum caliper of 4" as measured at ground level when planted.
- (c) Must not be located closer than ten feet from a street lamppost.

4. Sidewalks:

- (a) Sidewalks are required to be five (5) feet wide.

- (b) Continuous sidewalks are required along all public roadways.
- (c) Sidewalks are required along both sides of Driveways 1, 2, 3, 4, and 5 and along both sides of access easements unless as shown in Option B in Exhibits B-1, B-2, B-4 and B-6.
- (d) Sidewalks are required along both sides of the AZ02 tract and along both sides of The Promenade area.
- (e) All sidewalks shall be built six (6) feet from the back of curb, within the right-of-way or access easement or as shown on Exhibit B-6, Option B.
- (f) The proposed concrete trail along Bullhead Slough shall be five (5) feet wide.

5. Landscape Plan (Exhibit B-3).

6. Plant List (Exhibit B-4)

7. Pedestrian & Circulation Plan (Exhibit B-5).

G. Additional Regulations.

- 1. Outside display of merchandise is not permitted, except within:
 - a. The Promenade area (see above - Section D. Development Regulations, 11. Conditions for Outdoor Bazaars and Street Vendors)
 - b. Section 3 Option B- Outdoor display of merchandise will be permitted along the front of the building in an area not exceeding 5000 sf in the aggregate, provided that such outdoor merchandising areas will be integrated into the building architecture. (May not be located in a parking space, drive aisle, or block sidewalks)
- 2. All accessory buildings must be located internal to the tract and not on or abutting public or private streets.
- 3. Fleet vehicle storage is not permitted in the PD for any of the allowed uses, with the exception of SIC 7515 Passenger Car Leasing.

VICINITY MAP NOT TO SCALE



Weaver Davis & Jacob
REALTY GROUP
3281 Rocky Creek Dr, Suite 100
Missouri City, TX 77459
Tel: 281.313.0000
Fax: 281.313.0101

**PD SITE PLAN
OPTION A**
SECTIONS 2,3 &4

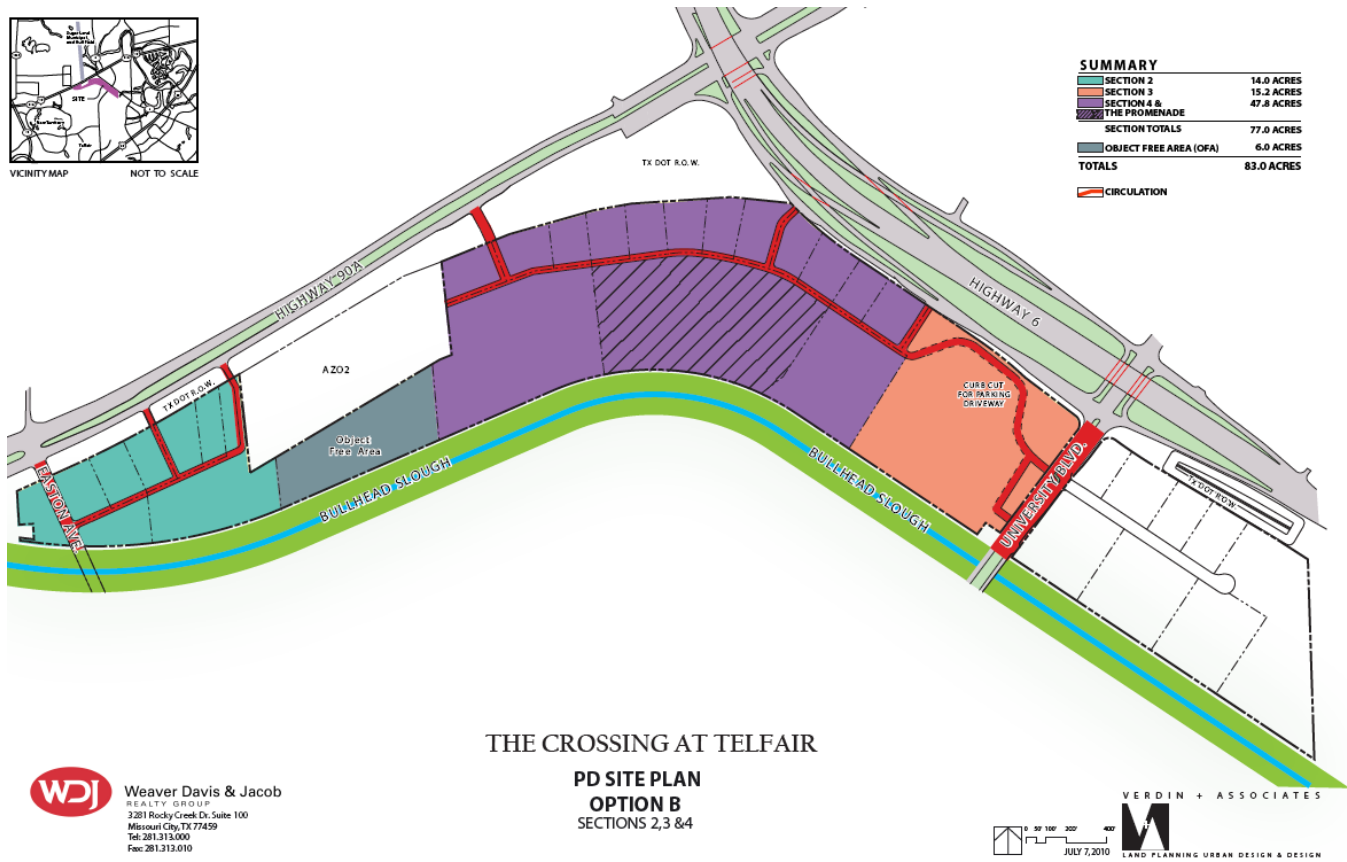
VERDIN + ASSOCIATES

0 50' 100' 200' 400'

JULY 7, 2010

LAND PLANNING URBAN DESIGN & DESIGN

EXHIBIT B-1 SITE PLAN OPTION B



**EXHIBIT B-2
CROSS SECTION
OPTION A**

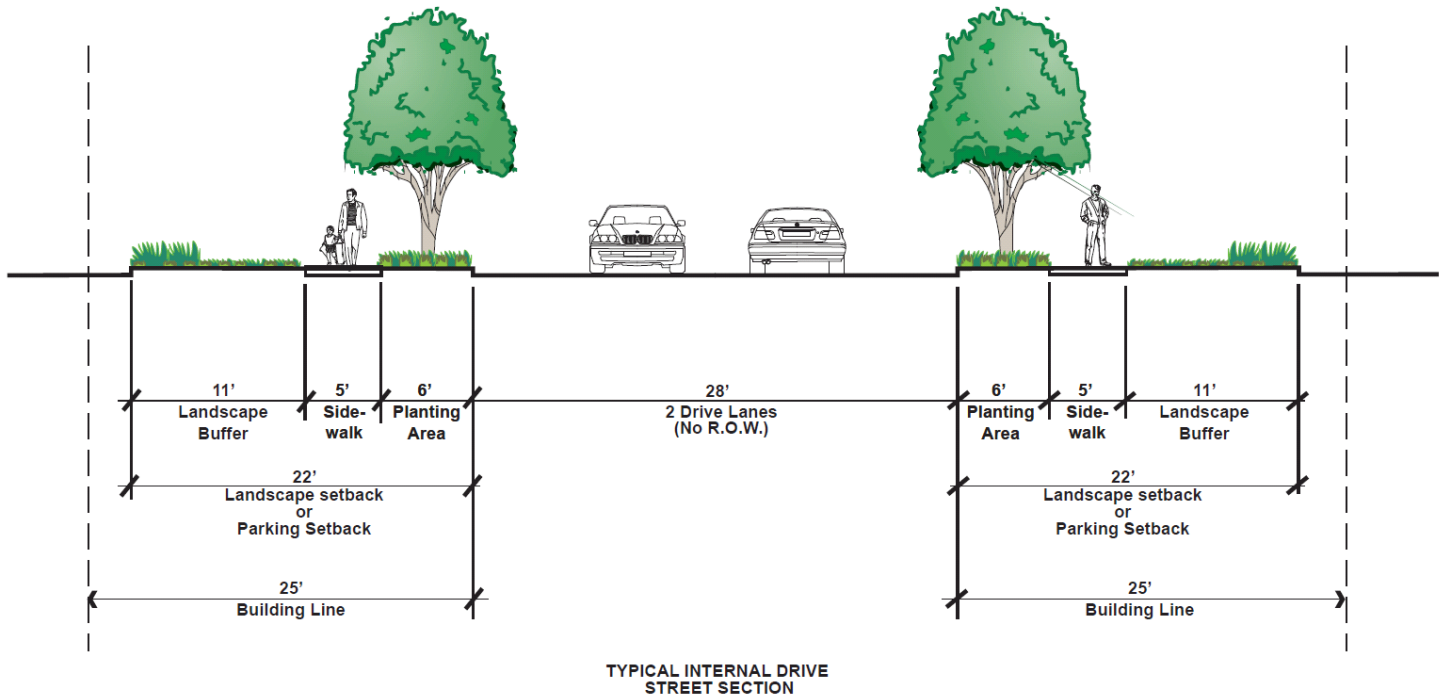
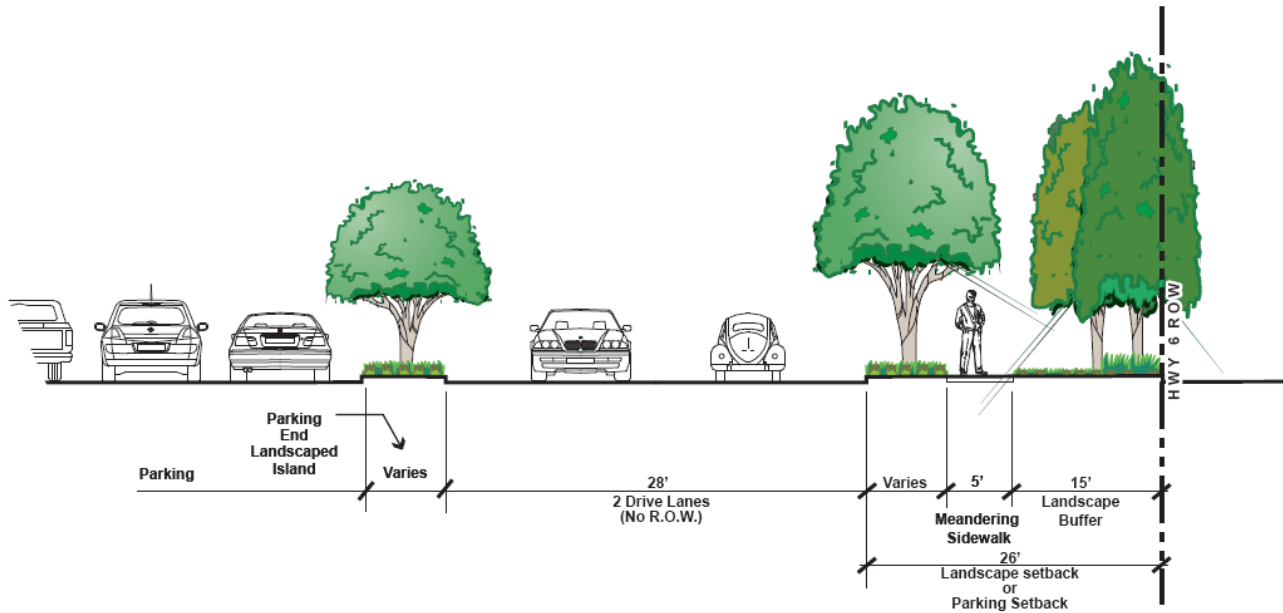


EXHIBIT B-2
CROSS SECTION
OPTION B
 (Applies to Section 3 Only if Utilized)



Weaver Davis & Jacob
 REALTY GROUP
 3281 Rocky Creek Dr. Suite 100
 Missouri City, TX 77459
 Tel: 281.313.000
 Fax: 281.313.010

THE CROSSING AT TELFAIR
 TYPICAL INTERNAL DRIVE
 STREET SECTION
 OPTION B
 FOR SECTION THREE
 JULY 14, 2010
NOT TO SCALE

VERDIN + ASSOCIATES

 LAND PLANNING URBAN DESIGN & DESIGN

**EXHIBIT B-3
LAND USES**

✓ = allowed
-- = not allowed

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>		
		<u>2</u>	<u>3</u>	<u>4</u>
Parks and Recreation	99	✓	✓	✓
Corporate Offices (not retail)	99	✓	✓	✓
<u>TRANSPORATION & WAREHOUSING</u>				
General Warehousing and Storage, only as follows:	4225	✓	--	✓
Miniwarehouses and Self-Storage Units				
Travel Agencies	4724	✓	✓	✓
<u>RETAIL</u>				
Lumber and Other Building Materials	5211	--	✓	✓
Paint, Glass, and Wallpaper Stores	5231	✓	✓	✓
Hardware Stores	5251	✓	✓	✓
Retail Nurseries, Lawn and Garden Supply Stores	5261	--	✓	✓
Department Stores	5311	✓	✓	✓
Variety Stores	5331	✓	✓	✓
Misc. General Merchandise Stores	5399	✓	✓	✓
Grocery Stores	5411	✓	✓	✓
Convenience Stores with Gas				
Supermarkets and Grocery Stores with Little General Merchandise				
Supermarkets and Grocery Stores with Substantial General Merchandise				
Convenience Stores without Gas				
Meat and Fish Markets	5421	✓	✓	✓
Fruit and Vegetable Markets	5431	✓	✓	✓
Candy, Nut, and Confectionary Stores	5441	✓	✓	✓
Dairy Products Stores	5451	✓	✓	✓
Retail Bakeries	5461	✓	✓	✓
Misc. Food Stores	5499	✓	✓	✓
Auto and Home Supply Stores	5531	✓	✓	✓
Men's and Boy's Clothing Stores	5611	✓	✓	✓
Women's Clothing Stores	5621	✓	✓	✓
Women's Accessory & Specialty Stores	5632	✓	✓	✓
Children's and Infant's Wear Stores	5641	✓	✓	✓
Family Clothing Stores	5651	✓	✓	✓
Shoe Stores	5661	✓	✓	✓
Misc. Apparel & Accessory Stores	5699	✓	✓	✓
Furniture Stores	5712	✓	✓	✓
Floor Covering Stores	5713	✓	✓	✓

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>		
		<u>2</u>	<u>3</u>	<u>4</u>
Drapery, Curtain, and Upholstery Stores	5714	✓	✓	✓
Miscellaneous Home furnishings Stores	5719	✓	✓	✓
Household Appliance Stores	5722	✓	✓	✓
Radio, Television & Consumer Electronic Stores	5731	✓	✓	✓
Computer and Computer Software Stores	5734	✓	✓	✓
Musical Instrument Stores	5736	✓	✓	✓
Eating Places	5812	✓	✓	✓
Drinking Places (with alcoholic beverages)	5813	--	✓	✓
Drug Stores and Proprietary Stores	5912	✓	✓	✓
Liquor Stores	5921	✓	✓	✓
Used Merchandise Stores	5932	✓	✓	✓
Sporting Goods Stores and Bicycle Shops (Including gun sales & repair)	5941	✓	✓	✓
Book Stores	5942	✓	✓	✓
Stationery Stores	5943	✓	✓	✓
Jewelry Stores	5944	✓	✓	✓
Hobby, Toy, and Game Shops	5945	✓	✓	✓
Camera and Photographic Supply Stores	5946	✓	✓	✓
Gift, Novelty, and Souvenir Shops	5947	✓	✓	✓
Luggage and Leather Good Stores	5948	✓	✓	✓
Sewing, Needlework, and Piece Goods Stores	5949	✓	✓	✓
Florists	5992	✓	✓	✓
Optical Goods Stores	5995	✓	✓	✓
Miscellaneous Retail Stores	5999	✓	✓	✓
Cosmetic Stores				
Hearing Aid and Artificial Limb Stores				
Pets and Pet Supply Stores				
Art Dealers				
Telephone and Typewriter Stores				
<u>FINANCE, INSURANCE, AND REAL ESTATE</u>				
National Commercial Banks	6021	✓	✓	✓
State Commercial Banks	6022	✓	✓	✓
Commercial Banks	6029	✓	✓	✓
Savings Institutions, Federally Chartered	6035	✓	✓	✓
Savings Institutions, Not Federally Chartered	6036	✓	✓	✓
Credit Unions, Federally Chartered	6061	✓	✓	✓
Credit Unions, Not Federally Chartered	6062	✓	✓	✓
Federal and Federally Sponsored Credit Agencies	6111	✓	✓	✓
Personal Credit Institutions	6141	✓	✓	✓
Short-Term Business Credit Institutions	6153	✓	✓	✓
Miscellaneous Business Credit Institutions	6159	✓	✓	✓
Mortgage Bankers and Loan Correspondents	6162	✓	✓	✓

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>		
		<u>2</u>	<u>3</u>	<u>4</u>
Loan Brokers	6163	✓	✓	✓
Investment Advice	6282	✓	✓	✓
Life Insurance	6311	✓	✓	✓
Accident and Health Insurance	6321	✓	✓	✓
Hospital and Medical Service Plans	6324	✓	✓	✓
Fire, Marine and Casualty Insurance	6331	✓	✓	✓
Surety Insurance	6351	✓	✓	✓
Title Insurance	6361	✓	✓	✓
Pension, Health and Welfare Funds	6371	✓	✓	✓
Insurance Carriers, NEC	6399	✓	✓	✓
Insurance Agents, Brokers, and Service	6411	✓	✓	✓
Real Estate Agents and Managers	6531	✓	✓	✓
Title Abstract Offices	6541	✓	✓	✓
Land Subdividers and Developers	6552	✓	✓	✓
Offices of Bank Holdings Companies	6712	✓	✓	✓
Offices of Holding Companies, NEC	6719	✓	✓	✓
Management Investment Offices, Open-End	6722	✓	✓	✓
Education, Religious, and Charitable Trusts	6732	✓	✓	✓
Trusts, Except Educational, Religious, and Charitable Managers	6733	✓	✓	✓
Patent Owners and Lessors	6794	✓	✓	✓
Real Estate Investment Trusts	6798	✓	✓	✓
Investors, NEC	6799	✓	✓	✓
<u>SERVICES</u>				
Hotels and Motels	7011	--	✓	✓
Garment Pressing, and Agents for Laundries and Drycleaners (pressing and pickup-dropoff only)	7212	✓	✓	✓
Drycleaning Plants, Except Rug Cleaning	7216	✓	✓	✓
Photographic Studies, Portrait	7221	✓	✓	✓
Beauty Shops	7231	✓	✓	✓
Barber Shops	7241	✓	✓	✓
Shoe Repair Shops and Shoeshine Parlors	7251	✓	✓	✓
Tax Return Preparation Services	7291	✓	✓	✓
Miscellaneous Personal Services	7299	✓	✓	✓
Babysitting Bureaus				
Diet and Weight Reducing Services				
Formal Wear and Costume Rental				
Personal Care Services				
Advertising Agencies	7311	✓	✓	✓
Radio, Television & Publishers' Representatives	7313	✓	✓	✓
Advertising, NEC	7319	✓	✓	✓
Adjustment and Collection Services	7322	✓	✓	✓
Credit Reporting Services	7323	✓	✓	✓

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>		
		<u>2</u>	<u>3</u>	<u>4</u>
Photocopying and Duplicating Services	7334	✓	✓	✓
Commercial Photography	7335	✓	✓	✓
Commercial Art and Graphic Design	7336	✓	✓	✓
Secretarial and Court Reporting	7338	✓	✓	✓
Medical Equipment Rental and Leasing	7352	✓	✓	✓
Employment Agencies	7361	✓	✓	✓
Help Supply Services	7363	✓	✓	✓
Computer Programming Services	7371	✓	✓	✓
Prepackaged Software	7372	✓	✓	✓
Computer Integrated Systems Design	7373	✓	✓	✓
Computer Processing & Data Preparation and Processing Services	7374	✓	✓	✓
Information Retrieval Services	7375	✓	✓	✓
Computer Facilities Management Services	7376	✓	✓	✓
Computer Rental and Leasing	7377	✓	✓	✓
Computer Maintenance & Repair	7378	✓	✓	✓
Computer Related Services, NEC	7379	✓	✓	✓
Security Systems Services	7382	✓	✓	✓
Photofinishing Laboratories	7384	✓	✓	✓
Business Services, NEC	7389	✓	✓	✓
Passenger Car Rental	7514	✓	✓	✓
Passenger Car Leasing	7515	✓	✓	✓
Automotive Exhaust System Repair Shops	7533	✓	--	✓
Automotive Transmission Repair Shops	7537	✓	--	✓
General Automotive Repair Shops	7538	✓	--	✓
Automotive Repair Shops, NEC	7539	✓	--	✓
Carwashes	7542	✓	✓	--
Radio and Television Repair Shops	7622	✓	✓	✓
Electrical and Electronic Repair Shops, NEC	7629	✓	✓	✓
Watch, Clock, and Jewelry Repair	7631	✓	✓	✓
Reupholstery and Furniture Repair	7641	✓	✓	✓
Motion Picture and Video Tape Production	7812	✓	✓	✓
Motion Picture Theaters, Except Drive-In	7832	✓	✓	✓
Video Tape Rental	7841	✓	✓	✓
Dance Studios, Schools, and Halls	7911	✓	✓	✓
Theatrical Producers (Except Motion Picture)				
& Misc. Theatrical Services	7922	✓	✓	✓
Bands, Orchestras, Actors, and Other Entertainers and Groups	7929	✓	✓	✓
Bowling Centers	7933	✓	✓	✓
Professional Sports Clubs and Promoters	7941	✓	✓	✓
Physical Fitness Facilities	7991	✓	✓	✓
Membership Sports and Recreation Clubs	7997	✓	✓	✓
Amusement and Recreation Services (including)	7999	✓	✓	✓
Amusement concessions				
Amusement rides				

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>		
		<u>2</u>	<u>3</u>	<u>4</u>
Baseball instruction schools				
Basketball instruction schools				
Billiard parlors				
Bowling instruction				
Bridge club, non-membership				
Bridge instruction				
Concession operators, amusement devices and rides				
Go-cart raceway operation				
Go-cart rentals				
Golf courses, miniature operation of				
Golf, pitch-n-putt				
Gymnastics instruction				
Ice skating rink operation				
Judo instruction				
Karate instruction				
Pack trains for amusement				
Ping pong parlors				
Pool parlors				
Roller skating rink operation				
Scenic railroads for amusement				
Schools and camps, sports instructional				
Scuba and skin diving instruction				
Skating instruction, ice or roller				
Ski instruction				
Slot-car racetracks				
Sports instructors, professional: golf, skiing, swimming, etc.				
Sports professionals				
Swimming instruction				
Swimming pools, except membership				
Tennis courts, outdoor and indoor operation of, non-membership				
Tennis professionals				
Ticket sales offices for sporting events, contract				
Trampoline operation				
Waterslides, operation of				
Wave pools, operation of				
Wax figure exhibitions				
Yoga instruction				
Offices and Clinics of Doctors of Medicine	8011	✓	✓	✓
Offices and Clinics of Dentists	8021	✓	✓	✓
Offices and Clinics of Doctors of Osteopathy	8031	✓	✓	✓
Offices and Clinics of Chiropractors	8041	✓	✓	✓
Offices and Clinics of Optometrists	8042	✓	✓	✓
Offices and Clinics of Podiatrists	8043	✓	✓	✓
Offices and Clinics of Health Practitioners, NEC	8049	✓	✓	✓

<u>USES</u>	<u>SECTIONS</u>			
	<u>SIC CODE</u>	<u>2</u>	<u>3</u>	<u>4</u>
Skilled Nursing and Care Facilities	8051	--	✓	✓
Intermediate Care Facilities	8052	--	✓	✓
Nursing and Personal Care Facilities, NEC	8059	--	✓	✓
General Medical and Surgical Hospitals	8062	--	✓	✓
Specialty Hospitals, Except Psychiatric	8069	--	✓	✓
(No alcoholism or drug rehabilitation hospitals are allowed)				
Medical Laboratories	8071	✓	✓	✓
Dental Laboratories	8072	✓	✓	✓
Home Health Care Services	8082	✓	✓	✓
Kidney Dialysis Centers	8092	✓	✓	✓
Specialty Outpatient Facilities	8093	✓	✓	✓
Family Planning Centers				
Outpatient Mental Health Facilities				
Health and Allied Services, NEC	8099	✓	✓	✓
Legal Services	8111	✓	✓	✓
Elementary Schools (no secondary schools & no public schools)	8211	✓	--	✓
Colleges, Universities, and Professional Schools	8221	--	✓	✓
Junior Colleges and Technical Institutes	8222	--	✓	✓
Libraries	8231	--	✓	✓
Data Processing Schools	8243	--	✓	✓
Business and Secretarial Schools	8244	--	✓	✓
Vocational Schools, NEC	8249	--	✓	✓
Schools and Educational Services, NEC	8299	--	✓	✓
Individual and Family Social Services	8322	--	✓	✓
Job Training and Vocational Rehabilitation Services	8331	--	✓	✓
Child Day Care Services	8351	✓	✓	✓
Residential Care	8361	--	✓	✓
Homes for the Elderly				
Other Residential Care				
Social Services, NEC	8399	--	✓	✓
Museums and Art Galleries	8412	✓	✓	✓
Business Associations	8611	✓	✓	✓
Professional Membership Organizations	8621	✓	✓	✓
Civic, Social, and Fraternal Associations	8641	--	✓	✓
Political Organizations	8651	✓	✓	✓
Religious Organizations	8661	✓	✓	✓
Membership Organizations, NEC	8699	✓	✓	✓
Engineering Services	8711	✓	✓	✓
Architectural Services	8712	✓	✓	✓
Surveying Services	8713	✓	✓	✓
Accounting, Auditing & Bookkeeping Services	8721	✓	✓	✓
Management Services	8741	✓	✓	✓
Management Consulting Services	8742	✓	✓	✓
Public Relations Services	8743	✓	✓	✓

<u>USES</u>	<u>SIC CODE</u>	<u>SECTIONS</u>			
		<u>2</u>	<u>3</u>	<u>4</u>	
Facilities Support Management Services	8744		✓	✓	✓
Business Consulting Services, NEC	8748		✓	✓	✓
Services, NEC	8999		✓	✓	✓
Public Finance, Taxation & Monetary Policy	9311		✓	✓	✓
Administration of Educational Programs	9411		✓	✓	✓
Administration of Public Health Programs	9431		✓	✓	✓
Administration of Social, Human Resources & Income Maintenance Programs	9441		✓	✓	✓
Administration of Veterans' Affairs, Except Health Insurance	9451		✓	✓	✓

EXHIBIT B-4 LANDSCAPE PLAN OPTION A

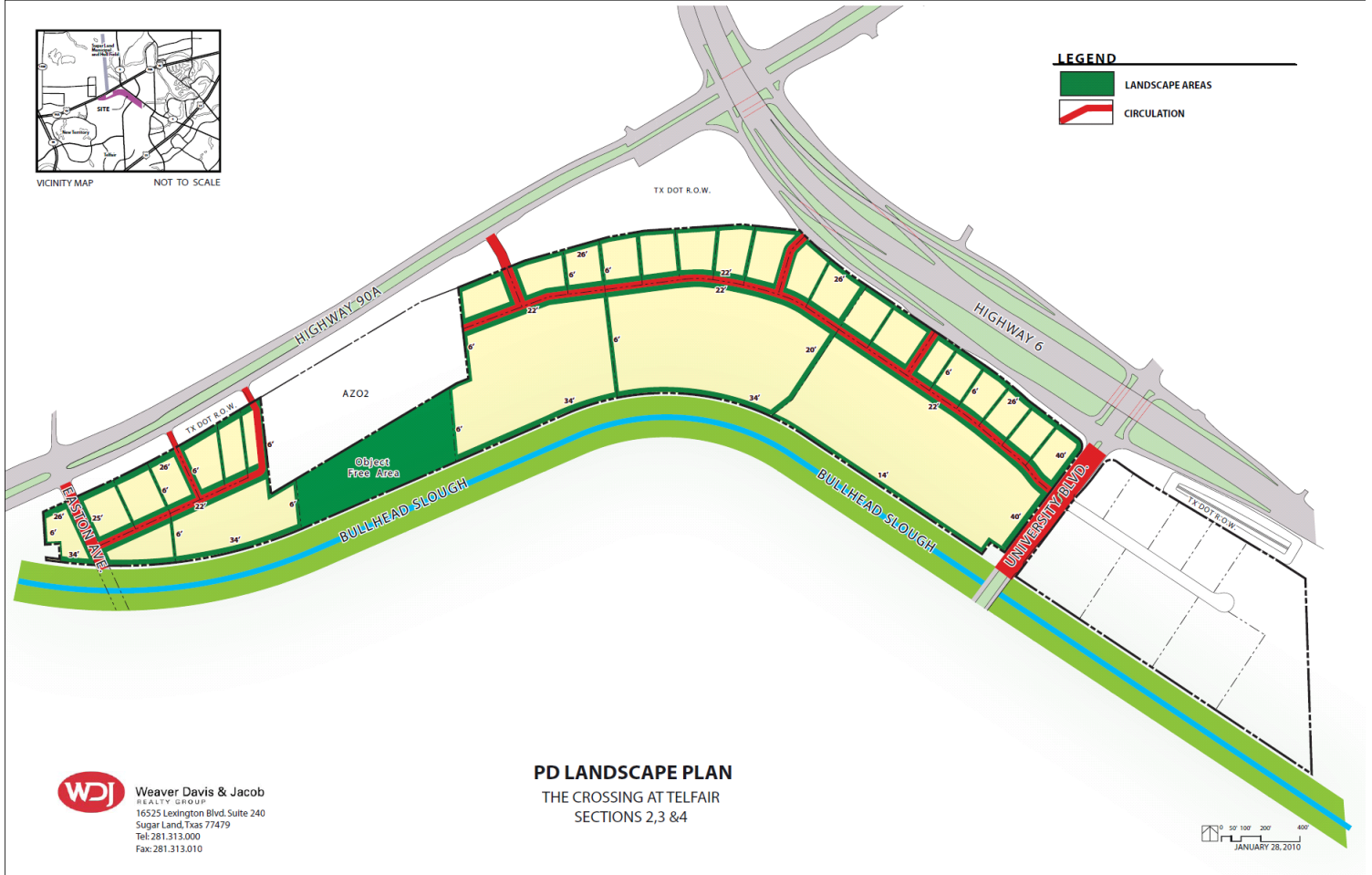


EXHIBIT B-4 LANDSCAPE PLAN OPTION B

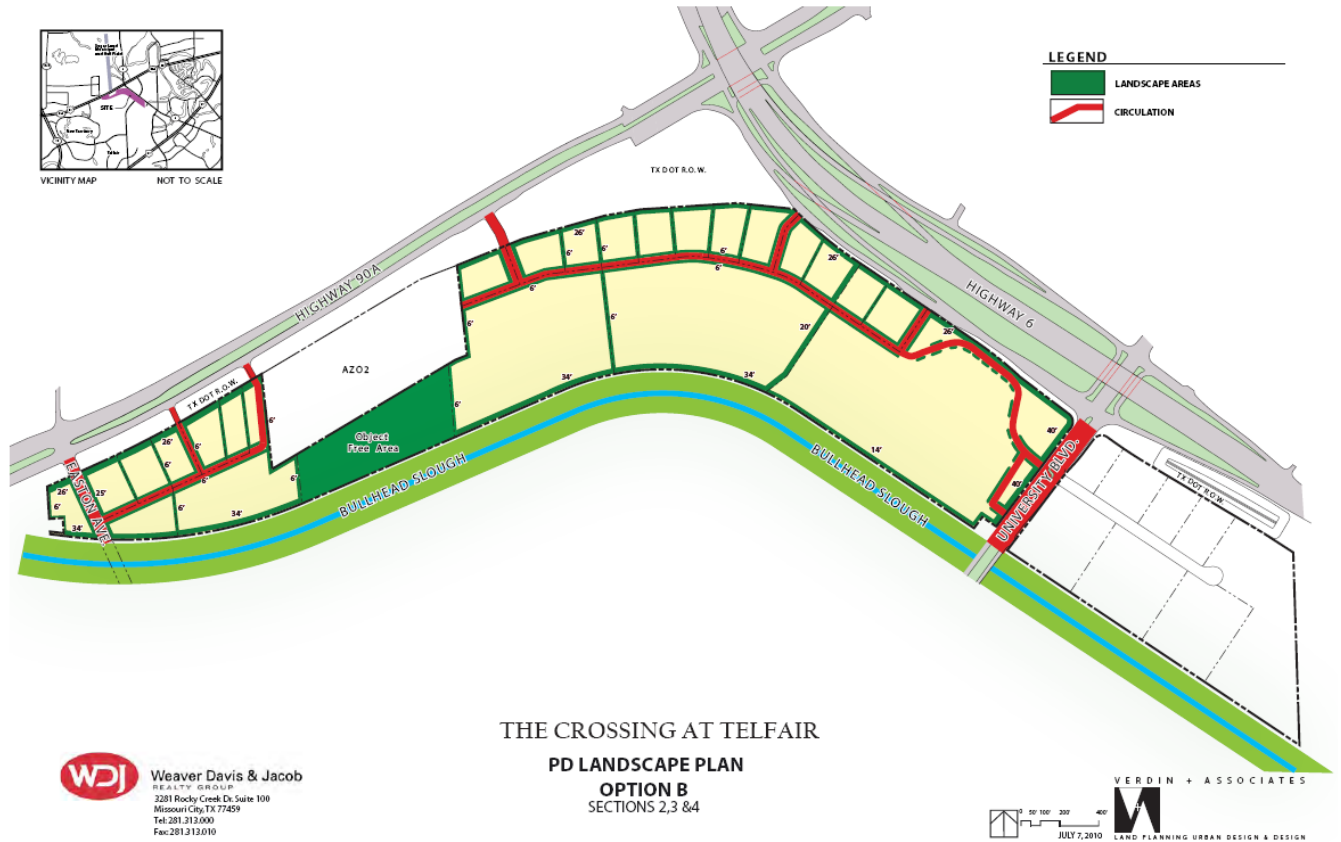


EXHIBIT B-5

PLANT LIST

The following is a list of plant material. If the property owners request plants that are not contained in this list, the Planning Director may approve them if they are determined to be of a similar hardiness.

Street Trees:

Nellie R. Stevens Holly - *Ilex x attenuata* 'Nellie R. Stevens'
Savannah Holly - *Ilex attenuata* 'Savannah'
Southern Magnolia - *Magnolia grandiflora* 'DD Blanchard'
Sycamore – '*Platanus occidentalis*'
Water Oak - *Quercus nigra*
Live Oak - *Quercus virginiana*
Bald Cypress - *Taxodium distichum*
Bosque or Drake Elm - *Ulmus parvifolia* 'Bosque' or 'Drake'

Small & Ornamental Trees:

European Fan Palm - *Chamaerops humilis*
Loquat - *Eryobotrya japonica*
Foster Holly - *Ilex x attenuata* 'Fosterii'
Yaupon Holly - *Ilex vomitoria*
Columnar Juniper - *Juniperus* spp.
Crape Myrtle - *Lagerstroemia indica* 'Basham's Pink', 'Natchez' 'Muschogee'
Little Gem Magnolia - *Magnolia grandiflora* 'Little Gem'
Treeform (MT) Ligustrum - *Ligustrum japonicum*
Sweetbay Magnolia - *Magnolia virginiana*
Tree Wax Myrtle - *Myrica cerifera*
Cherry Laurel - *Prunus caroliniana*
Mexican Plum - *Prunus mexicana*
Texas Sable Palm - *Sabal texana*
Windmill Palm - *Trachycarpus fortunei*
California Fan Palm - *Washingtonia filifera*

Shrubs:

Encore Azalea - *Azalea* hybrid 'Autumn Sweetheart', 'Autumn Twist', 'Autumn Rouge', 'Autumn Bravo'
Indica Azalea - *Azalea indica* 'Sweet Forgiveness', 'Geo. Taber', 'GG Gerbing', 'Formosa'
Abelia - *Abelia x grandiflora* 'Prostrata', 'Sherwoodi', 'Edward Goucher'
Boxwood - *Buxus* spp.
Dwarf Bottlebrush - *Callistemon citrinus* 'Austraflora', 'Firebrand', 'Little John', and 'Splendens'
Camellia - *Camellia* spp.
Japanese Cleyera - *Ternstroemia gymnanthera*
Sago Palm - *Cycas revoluta*
Umbrella Plant - *Cyperus alternifolius*
Butterfly Iris - *Diets iridioides*
Elaeagnus Ebbingei - *Elaeagnus macrophylla*

Silverberry - *Elaeagnus fruticosa*
 Gardenia - *Gardenia* spp.
 Dwarf Burford Holly - *Ilex cornuta* 'Burfordii Nana'
 Pittosporum - *Pittosporum tobira*
 Variegated Pittosporum - *Pittosporum tobira* variegated
 Barbados Cherry - *Malpighia glabra*
 Fatsia - *Fatsia japonica*
 Chinese Holly - *Ilex cornuta* 'Rotunda'
 Dwarf Yaupon - *Ilex vomitoria* 'Nana'
 Louisiana Iris - *Iris louisiana*
 Dwarf Crape Myrtle - *Lagerstroemia indica* 'Nana'
 Ligustrum - *Ligustrum japonicum*
 Waxleaf Glossy Privet - *Ligustrum lucidum*
 Fringe Flower Razzleberry - *Loropetalum chinense* 'Monraz'
 Maiden Grass - *Miscanthus sinensis* var.
 Dwarf Wax Myrtle - *Myrica pusilla*
 Nandina - *Nandina domestica*
 Purple Fountain Grass - *Pennisetum setaceum*
 Indian Hawthorn - *Raphiolepis indica* 'Clara'
 Shrub Rose - *Rosa* spp. 'Knockout', 'The Fairy', 'Bonica'
 Society Garlic - *Tulbaghia violacea*
 Sweet Viburnum - *Viburnum* spp.
 Bridal Wreath Spirea - *Spirea prunifolia*
 Feijoa - *Feijoa sellowiana*
 Oleander - *Nerium oleander*
 Dwarf Oleander - *Nerium oleander* 'Petite Pink'
 Plumbago - *Plumbago auriculata*
 Dwarf Pomegranate - *Punica granatum* 'Nana'
 Kumquat - *Fortunella* spp.
 Muhly Grass - *Meuhlenbergia lindheimeri*
 Dwarf Maiden Grass - *Miscanthus sinensis* 'Morning Light'

Groundcovers & Vines:

Carpet Bugle - *Ajuga reptans*
 Coral Vine - *Antigonon leptopus*
 Asparagus Fern - *Asparagus sprengeri*
 Crossvine - *Bignonia capreolata*
 Trumpet Creeper - *Campsis radicans*
 Mexican Heather - *Cuphea hyssopifolia*
 Wood Fern - *Dryopteris normalis*
 Carolina Jasmine - *Gelsimium sempervirens*
 English Ivy - *Hedera helix*
 Daylily - *Hemerocallis* 'Evergreen Yellow Supreme', 'Ming Toy', 'Stella D'oro'.
 Coral Honeysuckle - *Lonicera sempervirens*
 Big Blue Liriope - *Liriope muscari* 'Big Blue'
 Evergreen Wisteria - *Millettia reticulata*

Variegated Giant Liriope - *Ophiopogon jaburan*
Monkey Grass - *Ophiopogon japonica*
Katie Ruellia - *Ruellia brittonia* 'Katy'
Virginia Creeper - *Parthenocissus quinquefolia*
Star Jasmine - *Trachelospermum jasminoides*
Purple Queen - *Setcreasea pallida*
Lantana - *Lantana sellowiana*
Fig Ivy - *Ficus pumila*
Bouganvillea - *Bouganvillea* spp.

Arborvitae, yucca, cactus, and bamboo are prohibited.

EXHIBIT B-6 PEDESTRIAN PLAN OPTION A

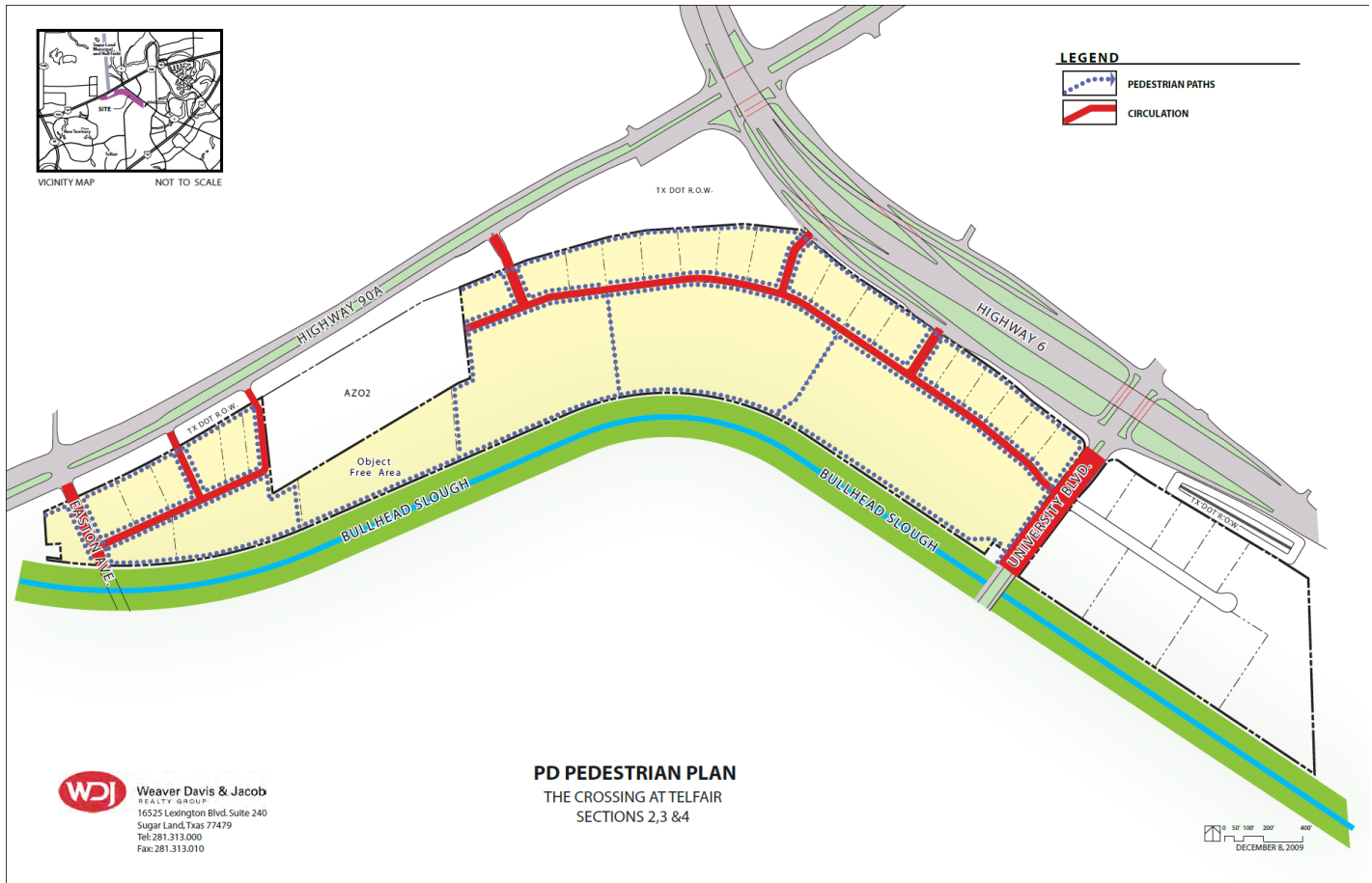
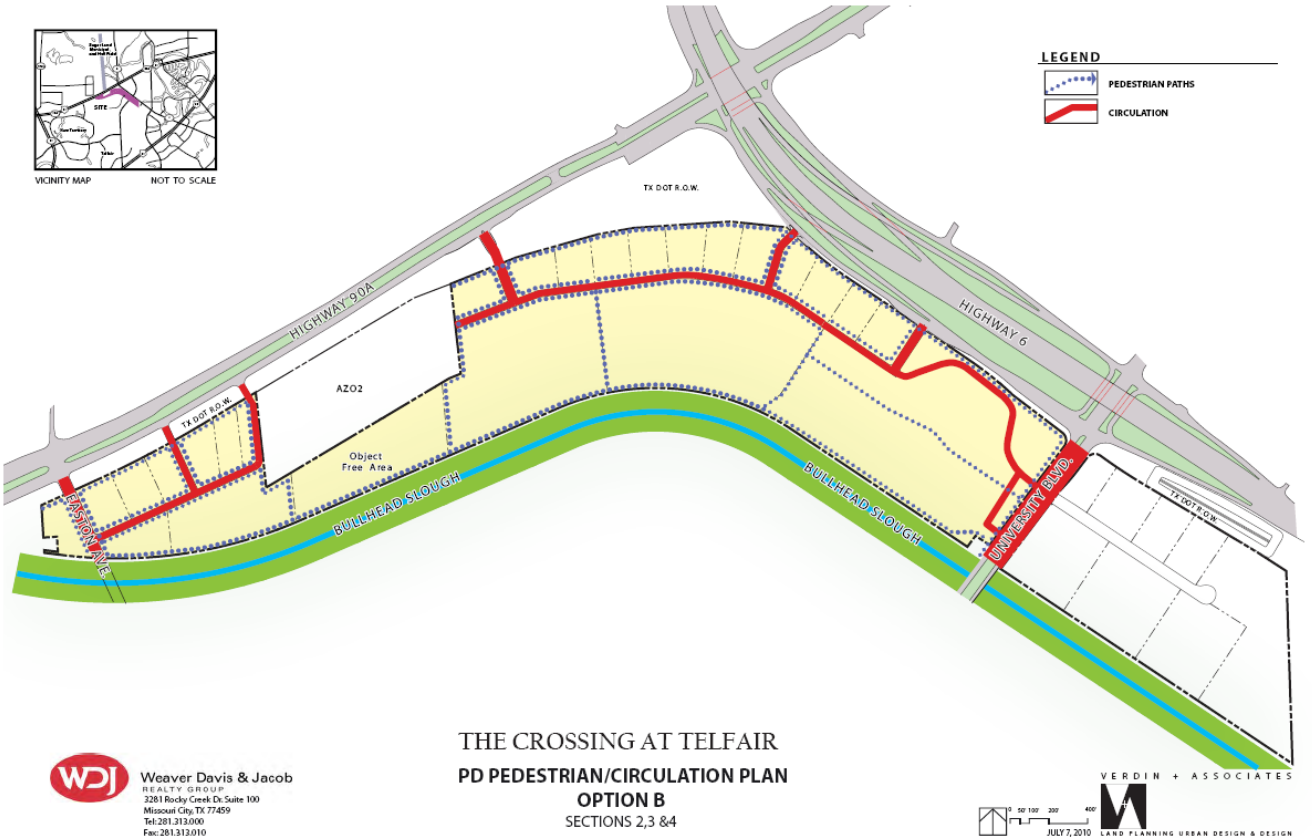


EXHIBIT B-6 PEDESTRIAN/CIRCULATION PLAN OPTION B



Approved Telfair General Plan (Amend. No. 4, Approved November 17, 2009):



Site Photos: The Crossing at Telfair Sections 2, 3, & 4



At Lift Station @ University Blvd. facing Crossing @ Telfair Section 1



Bridge @ University Blvd. over Bullhead Slough facing southeast



At Lift Station @ University Blvd. facing vacant Crossing @ Telfair Sections 2, 3, & 4



Easton Ave. along US Highway 90A facing east

Application:



RESUB. / REVISION

JAN 04 2010

FOR OFFICE USE
Accounting Code: ZC
\$1,113.25

PLANNING DEPARTMENT
PLANNED DEVELOPMENT (PD) DISTRICT REZONING APPLICATION

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

***DUE TO DETAILS REQUIRED FOR PD DISTRICT APPLICATIONS, STAFF STRONGLY RECOMMENDS A PRE-DEVELOPMENT MEETING PRIOR TO SUBMITTAL**

Applicant

Contact Peter Jacob

Address 16525 Lexington Blvd., Suite 240, Sugar Land, TX 77479

Phone (281) 313-0000 Fax (281) 313-0010 Email pjacob@wdjrealty.com

Owner (Note that owner must also sign form if different than applicant)

Contact Hwy 6 ÷ 90, LTD

Address 16525 Lexington Blvd., Suite 240, Sugar Land, TX 77479

Phone (281) 313-0000 Fax (281) 313-0010 Email pjacob@wdjrealty.com

Property Legal Description see attached metes & bounds See Attached

Lot _____ Block _____ Subdivision _____

Current Zoning District to be rezoned to PD Dist. R-1, B-O, M-1, & M-2

or

If a PD District amendment (provide details) _____

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and undersigned is authorized to make this application. Application expires 6 months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on request.

X Peter Jacob

12-29-2009

Signature of Applicant (Requires property owners signature if different than owner) Date

PD District Application Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☐ Three (3) copies of the completed application
- ☐ Check for \$1,113.25 per Ord. 1701 (non-refundable)
- ☐ Metes and bounds legal description of the site or county slide number of plat, if recorded
- ☐ Two (2) copies at least 11" x 17" in size of the PD Development Plan, including a vicinity map and north arrow on each copy (color drawings not required)
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to PD including detailed use list, PD development plan with lots / reserves, traffic circulation, landscaping, and other pertinent information

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed App. Oct. 2008